

Application No.: 09/534,723
Group Art Unit: 1772

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REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application. Further, the Examiner is thanked for the courtesies extended during a telephone interview on February 4, 2004. During the telephone interview the Examiner suggested amendments that would place the application in better condition for allowance.

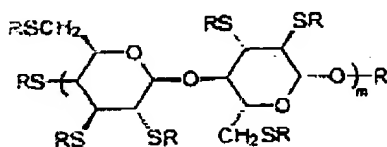
By the present amendment, Applicants hereby amend claim 1 and respectfully submit no new matter has been entered.

In the Final Office Action, the Examiner rejected claims 1-6 under 35 U.S.C. § 102(e) as being anticipated by Kwon et al.; and rejected claims 1-6 under the judicially created doctrine of double patenting over claims 1-34 of Kwon et al.

Applicants submit that the rejections set forth in the Final Office Action are moot in view of the amendments set forth herein. Reconsideration of the claims is respectfully requested in view of the foregoing amendments to the claims and in view of the following remarks.

The rejections of claims 1-6 under 35 U.S.C. § 102(e) as being anticipated by Kwon et al., and under the judicially created doctrine of double patenting over claims 1-34 of Kwon et al., are respectfully traversed and reconsideration is requested.

Claim 1 is allowable over the cited references in that claim 1 recites a combination of elements including, for example "a first alignment layer on the first substrate, wherein the first alignment layer includes

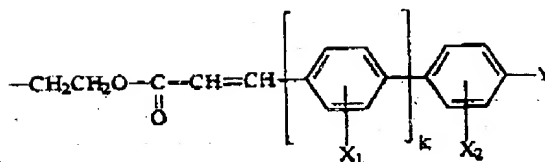


where the spacer S is selected from the group consisting of oxygen, sulfur, NH,

OC_hH_{2h}, and OC_hH_{2h}O, where h = 1~5 and m = 10~10,000, and

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the functional group R includes

X_1 and X_2 are each selected from the group consisting of hydrogen, fluorine, chlorine, CN, NO_2 , CH_3 , OCH_3 , CF_3 , and OCF_3 ; k is 0 to 1; Y is selected from the group consisting of hydrogen, fluorine, chlorine, CN, NO_2 , CF_3 , OCF_3 , $\text{C}_n\text{H}_{2n+1}$, $\text{OC}_n\text{H}_{2n+1}$, $\text{C}_n\text{H}_{2n+1-x}\text{F}_x$, and $\text{OC}_n\text{H}_{2n+1-x}\text{F}_x$ ($n = 1-10$, $x = 1-2n+1$)... None of the cited references, including Kwon et al., singly or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, Applicants respectfully submit that claims 2-6 which depend from claim 1 are also allowable over the cited references.

If the Examiner deems that a telephone conversation would further the prosecution of this application, the Examiner is invited to call the undersigned at (202) 496-7500.

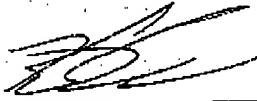
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If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: February 5, 2004

By 
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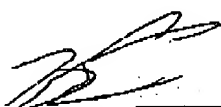
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